

Message Text

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FOR THE DEPUTY SECRETARY FROM HE AMBASSADOR

E.O. 11652: NA
TAGS: CGEN
SUBJECT: REDUCING CONSULAR WORKLOADS

SUMMARY: A SUBSTANTIAL PROPORTION OF THIS MISSION'S
RESOURCES ARE ALLOCATED TO CONSULAR WORK, A PROPORTION
WHICH IS BECOMING EVER GREATER DUE TO THE STEADILY
RISING DEMAND FOR VISA, PASSPORT AND PROTECTIVE
SERVICES. AT THE PRESENT RATE OF INCREASE, AFFECTING
NOT ONLY US HERE IN LONDON BUT THE DEPARTMENT'S
ACTIVITIES WORLDWIDE, DEMAND FOR CERTAIN SERVICES MAY
DOUBLE IN A FEW YEARS. IF WE CONTINUE TO RESPOND IN THE
SAME MANNER AS AT PRESENT, OTHER ESSENTIAL ACTIVITIES
ARE BOUND TO SUFFER AS MORE STAFF AND FINANCIAL

SUPPORT ARE DIVERTED TO CONSULAR ACTIVITIES. WITH THIS
IN MIND, MY STAFF AND I SUGGEST A FRESH STUDY TO DETER-
MINE WHETHER ALL SERVICES NOW BEING PERFORMED BY
CONSULAR PERSONNEL ARE REALLY NECESSARY. SOME
SERVICES, WE BELIEVE, COULD BE ELIMINATED. WHY, FOR
INSTANCE, MUST AMERICAN TRAVELLERS GET NEW PASSPORTS
EVERY FIVE YEARS? WHY NOT 10, AS IS THE CASE FOR
CITIZENS OF THE UK, IRELAND AND A NUMBER OF OTHER
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COUNTRIES? ELIMINATING THIS AND OTHER SERVICES AND
REQUIREMENTS SHOULD NOT ONLY ENABLE THE CONSULAR
SERVICE TO KEEP ABREAST OF ITS REMAINING WORKLOAD FOR
SOME TIME TO COME, BUT ALSO FREE SOME OF THE PRESENT
STAFF FOR OTHER WORK. SEVERAL MORE SPECIFIC
SUGGESTIONS FOLLOW. END SUMMARY.

1. AT PRESENT AMERICAN PASSPORTS ARE VALID FOR FIVE YEARS. MANY AMERICANS WHO EITHER RESIDE OR FREQUENTLY TRAVEL ABROAD MUST THEREFORE OBTAIN NEW PASSPORTS EVERY FEW YEARS ALTHOUGH GENERALLY THEIR PASSPORTS ARE STILL IN GOOD CONDITION AND COULD CONTINUE TO BE USED

IF IT WERE NOT FOR THE EXPIRATION DATE. A NUMBER OF MAJOR COUNTRIES ISSUE 10-YEAR PASSPORTS AND THERE WOULD SEEM TO BE NO REASON WHY THE US SHOULD NOT DO LIKEWISE, IF CONGRESS AGREES. THIS WOULD CUT DEMAND FOR NEW PASSPORTS BY HALF IN LONDON AND WOULD SAVE THOUSANDS OF MAN-HOURS HERE EVERY YEAR. PROPORTIONAL SAVINGS WOULD OCCUR AT VIRTUALLY ALL OTHER POSTS AND THE PASSPORT OFFICE WOULD ALSO BENEFIT.

2. ANY CITIZEN APPLYING FOR A NEW PASSPORT TO REPLACE ONE THAT HAS EXPIRED MUST PRESENTLY FURNISH A GOOD DEAL OF INFORMATION WHICH IS IMMATERIAL TO HIS ELIGIBILITY TO RECEIVE A NEW PASSPORT, SUCH AS THE NAMES OF HIS PARENTS, THEIR DATES AND PLACES OF BIRTH AND SO ON. SUCH DATA SERVES NO USEFUL PURPOSE AND INTRODUCTION OF A SHORT APPLICATION FORM FOR USE IN REPLACEMENT PASSPORT CASES WOULD SAVE TIME FOR THE PUBLIC AND ALSO EMPLOYEE TIME, SINCE THE FORMS WOULD BE QUICKER TO CHECK AND THERE WOULD BE FEWER MISTAKES TO CORRECT. THIS SIMPLE CHANGE WOULD LEAD TO SAVINGS OF AT LEAST UNCLASSIFIED

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200 MAN-HOURS PER YEAR AT THIS POST.

3. AT PRESENT A PASSPORT APPLICATION ORDINARILY MUST BE MADE IN PERSON OVERSEAS. I UNDERSTAND THAT THE PASSPORT OFFICE IS CURRENTLY CONSIDERING A PROPOSAL TO ISSUE AMERICAN PASSPORTS BY MAIL TO CITIZENS WHOSE PREVIOUS PASSPORTS HAVE RECENTLY EXPIRED, AS IS NOW DONE IN THE US AND AS IS ALREADY PERMITTED ABROAD IN HARDSHIP CASES. I HOPE THAT THIS PROPOSAL WILL BE APPROVED AS PROCESSING APPLICATIONS BY MAIL WILL BE LESS TIME-CONSUMING THAN DEALING WITH APPLICATIONS MADE IN PERSON, AS THE VISAS BY MAIL SYSTEM HAS LONG SINCE PROVEN. SUCH A CHANGE WOULD ALSO BE BENEFICIAL IN TERMS OF PUBLIC RELATIONS AS APPLYING IN PERSON CAN REPRESENT A GOOD DEAL OF EXPENSE AND INCONVENIENCE TO ANYONE LIVING AT A CONSIDERABLE DISTANCE FROM A CONSULAR OFFICE.

4. AMERICANS TRAVELLING TO OR RETURNING FROM WESTERN HEMISPHERE COUNTRIES DO NOT REQUIRE PASSPORTS

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WHEREAS THOSE GOING TO OR COMING FROM EASTERN HEMISPHERE COUNTRIES DO. IF THE PASSPORT REQUIREMENT WERE ABOLISHED ALTOGETHER IT WOULD OBTAIN MANY REQUESTS AT HOME AND OVERSEAS FOR EMERGENCY PASSPORTS BY AMERICAN WHO FIND AT THE LAST MOMENT THAT THEIR PASSPORTS HAVE EXPIRED OR CANNOT BE FOUND. OFTEN THESE REQUESTS ARE RECEIVED DURING WEEKENDS, HOLIDAYS AND OTHER NON-OFFICE HOURS AND ELIMINATION OF THE PASSPORT REQUIREMENT WOULD SAVE MANY HOURS OF OVERTIME.

5. WHENEVER AN AMERICAN CITIZEN CHILD IS BORN ABROAD A CONSULAR OFFICER MUST PREPARE A REPORT OF BIRTH. THANKS TO THE RELEVANT INSTRUCTIONS THIS IS A TIME-CONSUMING PROCEDURE WHICH IS OF QUESTIONABLE UTILITY. IN TIMES PAST WHEN VITAL STATISTICS RECORDS IN MANY PARTS OF THE WORLD WERE NON-EXISTENT, A REPORT OF BIRTH UNDOUBTEDLY SERVED A USEFUL PURPOSE AS A BIRTH RECORD. GIVEN THE FACT THAT PUBLIC BIRTH RECORDS ARE NOW MAINTAINED AT AN ACCEPTABLE STANDARD IN MOST COUNTRIES THE ONLY PURPOSE OF THIS DOCUMENT IS TO ESTABLISH THE

CHILD'S CITIZENSHIP. THIS CAN BE DONE JUST AS WELL BY ATTACHING A SIMPLE AFFIDAVIT BY THE CITIZEN PARENT(S),
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STATING PERIODS OF RESIDENCE IN THE US, TO A PASSPORT OR REGISTRATION APPLICATION FOR THE CHILD. (OFTEN A PASSPORT APPLICATION AND A REPORT OF BIRTH ARE EXECUTED AT THE SAME TIME.) ELIMINATING THE REPORT OF BIRTH REQUIREMENT WOULD SAVE AT LEAST 2,000 MAN-HOURS PER YEAR AT THIS POST ALONE.

6. CURRENT REGULATIONS REQUIRE CONSULAR OFFICERS TO PREPARE A DETAILED REPORT COVERING THE DEATH OF ANY AMERICAN WHO DIES ABROAD. WHILE SUCH REPORTS MIGHT HAVE BEEN USEFUL MANY YEARS AGO IN THE ABSENCE OF VITAL STATISTICS RECORDS ABROAD (AND THIS REQUIREMENT STEMS FROM A 1792 LAW REQUIRING DEATH REPORTS IN CASES INVOLVING ESTATES) THEY ARE CERTAINLY NO LONGER NECESSARY. NOW THESE REPORTS ARE ALWAYS BASED ON A DEATH CERTIFICATE ISSUED BY THE LOCAL AUTHORITY. WHILE COPYING ONTO A US GOVERNMENT FORM DETAILS FROM A LOCAL DEATH CERTIFICATE IS TIME-CONSUMING, IN ADDITION

TO BEING REDUNDANT, EVEN MORE TIME IS SPENT IN COMMUNICATING WITH RELATIVES, OFTEN INVOLVING FOLLOW-UP LETTERS, IN AN EFFORT TO GET OTHER DATA THE DEPARTMENT REQUIRES SUCH AS DETAILS OF CITIZENSHIP, NAMES AND ADDRESSES OF RELATIVES WITH WHOM LIVING OR TRAVELLING ABROAD AND SO ON WHICH ARE OF NO APPARENT IMPORTANCE, WITH A POSSIBLE VERY RARE EXCEPTION, ACCORDING TO CONSULAR OFFICERS HERE. THE LOCAL DEATH CERTIFICATE, AUTHENTICATED IF NEED BE BY A CONSULAR OFFICER, SHOULD BE SATISFACTORY FOR ANY ORDINARY PURPOSE. ELIMINATION OF THIS REQUIREMENT WOULD SAVE AT LEAST HALF A MAN-YEAR IN LONDON ALONE AND OTHER LARGE POSTS WOULD BENEFIT ON THE SAME SCALE.

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7. AT PRESENT CONSULAR OFFICERS ARE REQUIRED BY THE DEPARTMENT TO VISIT EVERY AMERICAN IN JAIL ABROAD AT LEAST ONCE A MONTH. WHILE I AM AWARE OF THE BACKGROUND FOR THIS REQUIREMENT, SUCH FREQUENT VISITS SEEM UNNECESSARY IN THE CASE OF PRISONERS WHO HAVE BEEN CONVICTED IN A FAIR TRIAL AND ARE SERVING SENTENCES IN

COUNTRIES SUCH AS THE UK WHERE THERE IS NO LANGUAGE PROBLEM, WHERE THE LOCAL PRISONS PROVIDE GENERALLY ADEQUATE SOCIAL AND HEALTH SERVICES AND WHERE THERE IS LITTLE LIKELIHOOD OF MISTREATMENT. MONTHLY VISITS ARE A DRAIN ON MANPOWER AND IF REPLACED BY QUARTERLY VISITS (AFTER CONSULTATION WITH APPROPRIATE CONGRESSIONAL

COMMITTEES) THERE WOULD BE A SAVING HERE OF ABOUT HALF A MAN-YEAR. IT WOULD, OF COURSE, BE UNDERSTOOD THAT SHOULD A PRISONER ALLEGE MISTREATMENT OF ANY KIND A CONSULAR OFFICER WOULD SEE HIM IMMEDIATELY, WITHOUT REGARD TO THE NORMAL SCHEDULE OF PRISON VISITS.

8. THE IMMIGRATION AND NATIONALITY ACT REQUIRES CONSULAR OFFICERS TO CHARGE APPLICANTS, ON A RECIPROCAL BASIS NONIMMIGRANT VISA FEES EQUIVALENT TO THOSE CHARGED AMERICANS BY THE COUNTRY OF THE APPLICANT'S NATIONALITY. OVER 100 DIFFERENT NATIONALITIES APPLY FOR VISAS HERE EVERY MONTH AND CHECKING FEE SCHEDULES FOR NON-UK APPLICANTS, DIRECTING APPLICANTS TO A CASHIER IN ANOTHER PART OF THE BUILDING, MAKING CHANGE FOR FEES

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WHICH ARE OFTEN IN ODD AMOUNTS AND ACCOUNTING FOR THEM IS TIME-CONSUMING. IF THE FEE RECIPROCITY REQUIREMENT WERE ABOLISHED FOR TOURISTS, TRANSIENTS, STUDENTS AND EXCHANGE VISITORS, IT WOULD SAVE HUNDREDS OF MAN-HOURS PER YEAR AND MORE THAN OFFSET THE LOSS IN FEES WHICH ARE RELATIVELY NEGLIGIBLE.

9. UNDER THE IMMIGRATION AND NATIONALITY ACT CERTAIN IMMIGRANT VISA APPLICANTS ARE ENTITLED TO EXEMPTION, AS "IMMEDIATE RELATIVES", FROM THE VISA NUMBER REQUIREMENT AND OTHER APPLICANTS ARE ENTITLED TO FIRST, SECOND FOURTH OR FIFTH PREFERENCE IN THE ALLOTMENT OF VISA

NUMBERS, BUT ONLY IF A RELATIVE FILES A VISA PETITION WITH THE IMMIGRATION AND NATURALIZATION SERVICE ON THEI BEHALF. THE PETITION PROCEDURE IS CONFUSING FOR THE PUBLIC AND LEADS TO ENDLESS MISUNDERSTANDINGS; ADDS TO THE ALREADY HEAVY WORKLOAD OF INS WHICH HAS SUB-STANTIAL PETITION BACKLOGS AT SOME OF ITS MOST IMPORTANT OFFICES; AND IS TIME-CONSUMING FOR CONSULAR OFFICERS WHO AT TIMES PROCESS PETITIONS ON BEHALF OF INS AND AT

OTHER TIMES MUST EXPLAIN THE REQUIREMENTS OF ANOTHER AGENCY. SINCE VISA OFFICERS REQUIRE FOR VISA ISSUANCE UNCLASSIFIED

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MOST OF THE RELEVANT DOCUMENTS NEEDED TO ESTABLISH IMMEDIATE RELATIVE OR PREFERENCE STATUS, AND COULD EASILY REQUIRE ANY OTHERS THOUGHT NECESSARY, THE PETITION PROCEDURE SEEMINGLY SERVES NO USEFUL PURPOSE WHATSOEVER. IF IT WERE ABOLISHED IT WOULD SAVE US AT LEAST 2,000 MAN-HOURS PER YEAR.

10. AT PRESENT EVERY WAIVER OF GROUNDS OF VISA INELIGIBILITY FOR A NONIMMIGRANT VISA APPLICANT MUST BE APPROVED BY THE IMMIGRATION AND NATURALIZATION SERVICE, REGARDLESS OF HOW MANY WAIVERS THE TRAVELLER HAS BEEN GRANTED PREVIOUSLY AND ALSO REGARDLESS OF HOW LITTLE PRESENT SIGNIFICANCE THE GROUNDS OF INELIGIBILIT MAY BE, SUCH AS PRE-1939 MEMBERSHIP IN THE COMMUNIST PARTY OR A SINGLE CONVICTION 20 OR 30 YEARS AGO. IT WOULD BE MOST HELPFUL TO VISA OFFICERS IF INS WERE TO DELEGATE TO THEM THE AUTHORITY TO GRANT REPEAT WAIVERS IN CASES WHERE NO NEW ADVERSE INFORMATION HAS BEEN

DEVELOPED SINCE INS GRANTED THE ORIGINAL WAIVER, AS IT WOULD ELIMINATE PREPARATION OF DETAILED WAIVER REQUESTS SENDING FOLLOW-UPS TO INS AND MUCH FENDING OFF OF APPLI CANTS WHILE THE INS DECISION IS BEING AWAITED. LAST YEAR THIS POST HANDLED OVER 500 WAIVER APPLICATIONS, ALMOST HALF REPEAT CASES. IF THE REPEAT CASES COULD HAVE BEEN HANDLED HERE IT WOULD HAVE SAVED US OVER 700 MAN-HOURS.

11. OF COURSE, THE GREATEST SAVING IN STAFF WOULD BE ACHIEVED (15 OR MORE POSITIONS HERE) IF VISAS WERE NO LONGER REQUIRED OF VISITORS INTENDING TO SPEND ONLY A SHORT TIME IN THE UNITED STATES, SAY LESS THAN 60 DAYS. THE PROBLEM HERE IS HOW MANY OF THOSE ARRIVING IN THE UNCLASSIFIED

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US ON VISA WAIVERS WOULD BE LIKELY TO REMAIN, THUS
ADDING TO OUR ILLEGAL ALIEN PROBLEM. GIVEN THE
EXTENT OF THAT PROBLEM ALREADY, CONGRESS WILL UNDOUBTED-
LY CONSIDER MOST CAREFULLY ANY PROPOSAL THAT VISITOR
VISAS BE WAIVED. TO AVOID CHARGES OF CAPRICIOUSNESS OR
DISCRIMINATION (OR LESSEN THEM) ANY WAIVER THE DEPART-

MENT PROPOSES SHOULD BE APPLICABLE TO SOME CLEARLY
IDENTIFIABLE GROUP OF NATIONS WHOSE CITIZENRY'S RECORD
OF COMPLIANCE WITH OUR IMMIGRATION LAWS AUGURS WELL FOR
COMPLIANCE WITH ANY VISA WAIVER PROGRAM.

THREE SUCH GROUPS COME TO MIND, NAMELY THE
MEMBERS OF THE COMMON MARKET, OF NATO AND OF OECD. OUR
INFORMATION REGARDING NATIONALITIES HAVING A GOOD NON-
IMMIGRANT RECORD IS SKETCHY BUT IT WOULD SEEM FROM THE
INDICATORS WE DO HAVE, SUCH AS PERCENTAGE OF ADJUST-
MENTS OF STATUS TO OVERALL VISA ISSUANCE FOR A GIVEN
POST OR NATIONALITY, THE NUMBER OF VISA CANCELLATIONS
BY INS AND THE NUMBER OF DEPORTATIONS, THAT THE
NATIONALS OF THE COMMON MARKET COUNTRIES HAVE AN
EXCELLENT RECORD. CERTAINLY IF ANY WAIVER IS AUTHORIZE
IT SHOULD APPLY TO THOSE COUNTRIES AT A MINIMUM.

A BROADER GROUPING OF COUNTRIES WHOSE RECORD IS
QUITE GOOD IS THE NATO STATES WITH THE APPARENT
EXCEPTION OF GREECE, PORTUGAL AND TURKEY. OECD IS TH
BROADEST GROUPING OF ALL AND IN ADDITION TO THE NATO
COUNTRIES INCLUDES AUSTRALIA, AUSTRIA, JAPAN, NEW

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ZEALAND AND SWITZERLAND, ALL OF WHOSE NATIONALS APPARENTLY HAVE EXCELLENT RECORDS IN COMPLYING WITH OUR IMMIGRATION LAWS. AS THERE IS LITTLE APPARENT INTEREST IN MIGRATION FROM THE OECD COUNTRIES, ASIDE FROM PORTUGAL AND GREECE, AND GIVEN THE OVERALL LEVEL OF PROSPERITY, RELATIVELY STATIC POPULATION PRESSURES, EXISTING SOCIAL WELFARE SYSTEMS AND DEMOCRATIC GUARANTEES, I FEEL THAT A WAIVER OF VISA REQUIREMENTS FOR NATIONALS OF THESE COUNTRIES VISITING THE US FOR PERIODS UP TO 90 DAYS FOR BUSINESS OR PLEASURE WOULD BE JUSTIFIED.

12. FINALLY IT WOULD, I THINK, BE HIGHLY DESIRABLE IF SECTION 212(H) OF THE IMMIGRATION AND NATIONALITY ACT WERE AMENDED TO PERMIT IMMIGRANT VISA WAIVERS FOR APPLICANTS INELIGIBLE UNDER 212(A)(23) WHO WERE CLOSELY RELATED TO CITIZENS OR ALIEN RESIDENTS. ALSO DESIRABLE WOULD BE AN AMENDMENT WHICH MAKES (A) 212(A)(28) INAPPLICABLE TO ONE-TIME MEMBERS OF THE COMMUNIST PARTY AND/OR AN AFFILIATED ORGANIZATION

PROVIDED SUCH MEMBERSHIP HAD CEASED AT LEAST 10 YEARS PREVIOUSLY; (B) 212(A)(23) INAPPLICABLE TO PERSONS UNCLASSIFIED

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CONVICTED NO MORE THAN ONCE OF PROCESSING SMALL QUANTITIES OF CANNABIS FOR THEIR OWN USE, PROVIDED NO OTHER ADVERSE INFORMATION IS KNOWN CONCERNING THEM; AND (C) 212(A)(9) INAPPLICABLE TO PERSONS CONVICTED OF A MISDEMEANOR, PROVIDED SUCH CONVICTION(S) HAD OCCURRED AT LEAST 10 YEARS PREVIOUSLY AND NO OTHER ADVERSE INFORMATION IS KNOWN CONCERNING THEM. THESE AMENDMENTS WITHOUT IN ANY WAY IMPAIRING THE SECURITY OR WELFARE OF THE US, WOULD DO MUCH TO OBVIATE THE PERSONAL DISTRESS AND SUFFERING CAUSED BY EXISTING LAW IN A LIMITED NUMBER OF CASES AND WOULD ALSO LESSEN PUBLIC AND PRESS RELATIONS PROBLEMS WHICH CROP UP FROM TIME TO TIME. THIS IN TURN WOULD REDUCE CONSULAR WORKLOADS TO SOME EXTENT SINCE IT WOULD BE POSSIBLE TO PROCEED IMMEDIATELY WITH CERTAIN CASES RATHER THAN, AS NOW, PREPARING DETAILED WAIVER REQUESTS TO INS OR ENGAGING IN LENGTHY CORRESPONDENCE REGARDING REFUSALS WHICH OFTEN APPEAR UNJUSTIFIED TO THOSE NOT FAMILIAR WITH OUR LAWS.

13. I KNOW THIS IS A LONG LIST BUT I THOUGHT IT BEST TO INCLUDE AS MUCH AS I COULD THINK OF WHILE ENGAGING YOUR ATTENTION ON WHAT MIGHT BE DONE TO LIMIT

THE NEED FOR ADDITIONAL CONSULAR STAFF IN THE YEARS
AHEAD. I SHALL BE INTERESTED TO KNOW OF YOUR REACTION
TO THE FOREGOING.

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